

REMBRANDT WIRELESS TECHNOLOGIES, LP,)	Civil Action No. 2:13-cv-00213-JRG-RSP
)	
Plaintiff,)	JURY TRIAL DEMANDED
)	
v.)	
)	
SAMSUNG ELECTRONICS CO., LTD.;)	
SAMSUNG ELECTRONICS AMERICA, INC.;)	
SAMSUNG TELECOMMUNICATIONS)	
AMERICA, LLC; SAMSUNG AUSTIN)	
SEMICONDUCTOR, LLC; BLACKBERRY)	
CORP. and BLACKBERRY LTD.,)	
)	
Defendants.)	
)	

Plaintiff Rembrandt Wireless Technologies, LP (“Rembrandt”) enters into the following stipulation with Defendants Samsung Co., Ltd., Samsung Electronics America, Inc., Samsung Austin Semiconductor, LLC (“Samsung”):

- VII. MR. WEINSTEIN'S TESTIMONY ABOUT SAMSUNG'S TOTAL REVENUE, GROSS PROFIT, AND OPERATING PROFIT FIGURES SHOULD BE EXCLUDED AS PREJUDICIAL
- VIII. MR. WEINSTEIN'S TESTIMONY ABOUT SAMSUNG'S SALES AND MARKET SHARE OUTSIDE THE U.S. SHOULD BE EXCLUDED AS IRRELEVANT AND PREJUDICIAL

IX. MR. WEINSTEIN'S TESTIMONY ABOUT NON-ACCUSED PRODUCTS SHOULD BE EXCLUDED AS IRRELEVANT AND PREJUDICIAL

2. Prior to filing Samsung's Daubert Motion, the parties met and conferred. Regarding Sections VII, VIII and IX of Samsung's Daubert Motion, the parties agreed to continue to meet and confer with regards to entering a stipulation on those Sections.
3. The following portions of the October 6, 2014 Expert Report of Roy Weinstein Regarding Samsung ("10-6-14 Weinstein Samsung Report") shall be treated as withdrawn from 10-6-14 Weinstein Samsung Report and Mr. Weinstein shall not testify about them or the subject matter they contain at the upcoming trial in the above-captioned action:
 - a. Testimony regarding Samsung's total revenues, gross profits, and operating profits – including, but not limited to, paragraphs 19 and 159, the charts on pages 10 and 47, and Exhibit 3; however in the event that the Court denies Sections V and VI of Samsung's Daubert motion and Mr. Weinstein is permitted by the Court to testify about the Samsung 38% gross margin figure set forth in paragraph 127 of the 10-6-14 Weinstein Samsung Report, the parties agree that Mr. Weinstein may testify about the definition of a gross margin, how he calculated the gross margin percentage, and how he uses it as part of his damage analysis, without disclosing the actual total revenues, gross profits, and operating profits; and for the avoidance of doubt, Samsung expressly reserves the right to challenge any and all aspects of Mr. Weinstein's use of the Samsung 38% gross margin figure set forth in paragraph 127 of the 10-6-14 Weinstein Samsung Report;
 - b. Testimony regarding Samsung's sales and market share outside the U.S. – including, but not limited to, paragraphs 16 and 17, the second through fourth

sentences of paragraph 130, the first, second, and third sentences of paragraph 131, paragraph 134, and the chart on p. 8;

- c. Testimony regarding non-accused Samsung products – including, but not limited to, paragraph 51;
 - d. Provided, however, that the citations to source material contained in the paragraphs or footnotes is not withdrawn as source material that Mr. Weinstein considered.
4. Samsung hereby withdraws Sections VII, VIII, and IX of Samsung's Daubert Motion.

IT IS SO STIPULATED.

Dated: January 15, 2015

/s/ Rebecca R. Hermes

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CERTIFICATE OF SERVICE

I hereby certify that on January 15, 2015, a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

By: /s/ Rebecca R. Hermes
Rebecca R. Hermes